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**SUBSTITUTE SENATE BILL 6455**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Liiias, King, Billig, Nguyen, Cleveland, Hunt, Saldaña, Van De Wege, and Wilson, C.)

READ FIRST TIME 01/30/20.

1 AN ACT Relating to default beverages for children's meals; adding  
2 a new section to chapter 43.20 RCW; prescribing penalties; and  
3 providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20  
6 RCW to read as follows:

7 (1) A restaurant that sells a children's meal shall make the  
8 default beverage offered with the children's meal one of the  
9 following:

10 (a) Water, sparkling water, or flavored water, with no added  
11 natural or artificial sweeteners;

12 (b) Unflavored milk; or

13 (c) A nondairy milk alternative that contains no more than one  
14 hundred thirty calories per container or serving.

15 (2) The beverage listed or displayed on a restaurant menu or  
16 advertisement for a children's meal or offered by an employee must be  
17 one of the default beverages listed in subsection (1) of this  
18 section.

19 (3) This section does not prohibit a restaurant's ability to  
20 sell, or a customer's ability to purchase, an alternative beverage

1 instead of the default beverage offered with the children's meal, if  
2 requested by the purchaser of the children's meal.

3 (4) The state board may adopt rules as necessary to implement  
4 this section.

5 (5) The local health jurisdiction shall implement, administer,  
6 and enforce this section and any rules adopted by the state board  
7 pursuant to subsection (4) of this section.

8 (6) A restaurant found to violate this section shall receive a  
9 written warning for the first two violations. The third or subsequent  
10 violation in a two-year period from the written notification is  
11 punishable by a fine not to exceed two hundred dollars per violation.  
12 Total fines levied against a restaurant in a year may not exceed four  
13 hundred dollars.

14 (7) For purposes of this section:

15 (a) "Children's meal" means a combination of food items and a  
16 beverage, or a single food item and a beverage, sold together at a  
17 single price, primarily intended for consumption by a child.

18 (b) "Default beverage" means the beverage automatically included  
19 or offered as part of a children's meal, absent a specific request by  
20 the purchaser of the children's meal for an alternative beverage.

21 (c) "Nondairy milk alternative" means a nondairy fluid milk  
22 substitute that meets the standards for the national school lunch  
23 program in 7 C.F.R. Sec. 210.10 as it existed on November 18, 2019.

24 (d) "Restaurant" means a retail food establishment that prepares,  
25 serves, and vends food directly to the consumer.

26 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2021.

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